

## **REMARKS**

The application is believed to be in condition for allowance because the claims are novel and non-obvious over the cited art. The following paragraphs provide the justification for these beliefs. In view of the following reasoning for allowance, the applicants hereby respectfully request further examination and reconsideration of the subject application.

### **Claim Changes**

Claims 1 and 14 have been amended to correct a typographical error.

### **Allowable Subject Matter**

The applicants gratefully acknowledge the allowability of Claim 20 if rewritten in independent form to including all of the limitations of the base claim and any intervening claims. However, since the applicants believe that all of the claims are novel and non-obvious over the cited art, the applicants decline to rewrite Claim 20 in independent form at this time.

### **The 35 USC 102(b) Rejection of 1-26.**

Claims 1-26 were rejected under 35 USC 102(e) as being anticipated by U.S. Patent Publication number 2004/0119759 A1, herein after referred to as Barros. It was contended in the above-identified Office Action that Barros teaches all the elements of the rejected claims. The applicants respectfully disagree with this contention of anticipation.

The CFR states that an Examiner must be specific as to which parts of a reference teaches an applicant's claimed invention. Specifically, Section 37 CFR 1.104 Nature of Examination states,

"(c) Rejection of claims....

(2) In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. “ (emphasis added)

The applicant has reviewed the 78 paragraphs of the cited reference that the Examiner contends teach the applicants claimed invention and cannot find any paragraphs that teach the applicants' claimed grid-aligned media dots that indicate how many media elements should be associated with a location on a map; or the the applicants' claimed reflective feature wherein when a user passes a computer input device over any database item in a window, information related to the database item will be highlighted in other windows (e.g., constraint or display panels) containing information on that database item.

The applicants claim a user interface (UI) for browsing a database of media that is tagged by geographic location information including photos, videos, panoramas, and other types of digital media. Interchangeable panels are used for determining query constraints and viewing query results. Grid-aligned media dots indicate how many media elements should be associated with a location on a map. A reflective UI shows how query constraints and query results are related through cursor interaction. (Summary)

**Media dots indicate how many media items are associated with a grid location on a map.** Each media dot can be viewed as a scale-adaptive two dimensional histogram. In determining media dot placement and size, in one embodiment of the invention, each map is gridded with a regular grid where cell size is greater than a single pixel on a display. In one embodiment a cell size of 10 pixels was used. **The diameter of the media dot varies with the number of media items it represents.** In one embodiment of the UI of the invention, a media dot's diameter,  $d$ , is varied logarithmically with the number of items it represents. (Summary)

The UI of the claimed invention can also include a reflective feature that shows how query constraints and query results are related through computer input device interaction. **When a user passes a computer input device over any database item in a window, information related to the database item will be highlighted in other windows (e.g., constraint or display panels) containing information on that database item.** (Summary)

In contrast, Barros discloses a program-controlled interactive data processor, such as a personal computer, connected to and in communication with a server and linked to a plurality of databases and associated software. These databases, either locally or remotely located, comprise a vast amount of diverse information on select topics. The personal computer includes local programming to control the layout of information displayed on the user display. The display includes multiple, context-sensitive control panels or palettes for manipulating the information (symbols, text, drawings, photographs, etc.) presented on the user display in accordance with a selection protocol. This protocol implements a data layering process, wherein information is formatted and displayed in response to user control inputs and stored instructions, optimizing the display layout so that information is quickly presented in a form that is readily comprehended despite its complexity. Only information necessary for current assessment is presented without superfluous data elements. Relevant information is thus presented in a seamless, streamlined manner.

A prima facie case of anticipation is established only when the Examiner shows, inter alia, that the cited reference teaches each of the claimed elements of a rejected claim. In this case, the Barros reference does not teach the advantageous features of the applicants' claimed invention such as using media dots that indicate how many media elements should be associated with a location on a map. The media dots are advantageous in that they allow displays to be uncluttered. Nor does Barros teach the applicants' claimed reflective feature wherein when a user passes a computer input device over any database item in a window, information related to the database item will be highlighted in other windows (e.g., constraint or display panels) containing

information on that database item. The reflective feature is advantageous in that it shows how query constraints and query results are related. Thus, the rejected claims recite advantageous features that are not taught in the cited art, and as such a prima facie case of anticipation is not established. It is, therefore, respectfully requested that the rejection of Claims 1-26 be reconsidered based on the novel claim language:

"A graphic user interface for querying a database of media that is tagged with geographic location information and displaying the query results, comprising interchangeable panels that are used for determining query constraints and viewing query results of a database of media that is tagged with geographic location information; and media dots that are aligned with a grid that encompasses the geographic location information of the media in the database, wherein said media dots indicate how many media are associated with a grid location on the map." (emphasis added)

And,

"A graphic user interface for displaying data from a database of media that is tagged with geographic location information, comprising media dots that are aligned with a grid that encompasses the geographic location information of the media in the database, wherein said media dots indicate how many media are associated with a grid location on the map." (emphasis added)

And,

"A graphic user interface for querying and displaying data from a database of media, comprising a reflective feature that shows how query constraints and query results are related through computer input device interaction."

And,

"A graphic user interface for querying a database of media that is tagged with geographic location information and displaying the query results, comprising: interchangeable panels that are used for determining query constraints and viewing query results of a database of media that is tagged with geographic location information; and media dots that are aligned with a grid that encompasses the geographic location information of the media in the database, wherein said media dots indicate how many media are associated with a grid location on the map; and a reflective feature that shows how query constraints and query results are related through

computer input device interaction wherein when a user passes a computer input device over any database item in a window, information related to the database item will be highlighted in other windows containing information on that database item. " (emphasis added)

And,

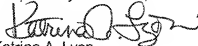
"A graphic user interface for querying a database of media that is tagged with geographic location information and displaying the query results, comprising: interchangeable panels that are used for determining query constraints and viewing query results of a database of media that is tagged with geographic location information; and a reflective feature that shows how query constraints and query results are related through computer input device interaction wherein when a user passes a computer input device over any database item in a window, information related to the database item will be highlighted in other windows containing information on that database item. "

Summary.

In summary, it is believed that the claims, as amended, are in condition for allowance. Reconsideration of the rejection of Claims 1-26 is respectfully requested. Allowance of these claims at an early date is courteously solicited.

LYON & HARR, LLP  
300 Esplanade Drive  
Suite 800  
Oxnard, CA 93036  
(805) 278-8855

Respectfully submitted,



Katrina A. Lyon  
Reg. No. 42,821  
Attorney for Applicant(s)